

Due to the Junior ROTC Instructor:		
From the U.S. Government:		
• Annual military retirement pay	\$20,000	
From the School District:		
• Minimum Junior ROTC instructor's compensation prorated to 10-month period		
Annual military retirement pay	\$20,000	
Annual pay and allowances if called to active duty	\$28,000	
Annual difference	8,000	
Prorated Difference: Minimum amount due the Junior ROTC instructor from the school district= ¹⁰ / ₁₂ of \$8,000		⁴ \$6,667
Junior ROTC Instructor's Total Compensation	26,667	
⁴ Reimbursable to the School District from the Federal Government (¹ / ₂ of \$6,667) \$3,334.		

Example E: The Junior ROTC instructor in EXAMPLE D has elected to have his compensation from the school district paid in 12 equal payments during the year. This does not change the annual minimum compensation due from the institution as the following computation indicates.

Due to the Junior ROTC Instructor:		
From the U.S. Government:		
• Annual military retirement pay	\$20,000	
From the School District:		
• Minimum Junior ROTC instructor's compensation prorated to a 10-month period (See computation in Example D)		⁵ 6,667
(Paid in 12 monthly checks in the amount of \$555.58 each equals \$6,667)		
Junior ROTC Instructor's Total Compensation	26,667	
⁵ Reimbursable to the School District from the Federal Government (¹ / ₂ of \$6,667) \$3,334.		

PART 112—INDEBTEDNESS OF MILITARY PERSONNEL

Sec.

112.1 Purpose.

112.2 Applicability and scope.

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112.5 Responsibilities.

AUTHORITY: 5 U.S.C. 5520a(k) and 10 U.S.C. 113(d).

SOURCE: 60 FR 1721, unless otherwise noted.

§ 112.1 Purpose.

This part: (a) Updates policy and responsibilities governing delinquent indebtedness of members of the Military Services, and prescribes policy for processing involuntary allotments from the pay of military members to satisfy judgment indebtedness in accordance with 5 U.S.C. 5520a(k).

(b) Establishes responsibility for procedures implementing 5 U.S.C. 5520a(k), 15 U.S.C. 1601 note, 1601–1614, 1631–1646, 1661–1665a, 1666–1666j, and 1667–1667e (“Truth in Lending Act”), and 15 U.S.C. 1601 note, and 1692–1692o (“Fair Debt Collection Practices Act”).

(c) Designates the Director, Defense Finance and Accounting Service (DFAS), as the Department of Defense Executive Agent for forms necessary to process involuntary allotments. The Executive Agent shall publish, print, stock, distribute, and revise forms.

§ 112.2 Applicability and scope.

(a) Applies to the Office of the Secretary of Defense, the Military Departments (including the Coast Guard when it is not operating as a Military Service in the Navy by agreement with the Department of Transportation), the Chairman of the Joint Chiefs of Staff, the Unified Combatant Commands, the Inspector General of the Department of Defense, the Defense Agencies, and the Department of Defense Field Agencies (hereafter referred to collectively as “the Department of Defense Components”). The term “Military Services,” as used herein, refers to the Army, the Navy, the Air Force, the Marine Corps, and the Coast Guard.

(b) The provisions of this part do not apply to:

(1) Indebtedness of a member of the Military Services to the Federal Government.

(2) Processing of indebtedness claims to enforce judgments against military members for alimony or child support.

(3) Claims by State or municipal governments under the processing guidelines for complaints, including tax collection actions.

§ 112.3 Definitions.

(a) *Absence*. A member's lack of an “appearance,” at any stage of the judicial process, as evidenced by failing to physically attend court proceedings; failing to be represented at court proceedings by counsel of the member's choosing; or failing to timely respond to pleadings, orders, or motions.

(b) *Court*. A court of competent jurisdiction within any State, territory, or possession of the United States.